

## Confinement

1. The Military Police detention cell may be used to temporarily detain (not to exceed 72 hours) detainees/prisoners who are awaiting transfer to confinement as a result of pre-trial confinement hearing or court-martial; or, who are in a confined status at another installation, but must return to Fort Bragg to appear as a witness in a court-martial or to consult with legal counsel.



2. When confinement in the Fort Bragg Military Police detention cell is authorized, the unit must:

a. Submit a memorandum signed by the unit commander or legal counsel requesting the use of the detention cell to the Fort Bragg PMO. The memorandum must include the prisoner's standard name line, reason for use and the inclusive dates of detention.

b. Provide the guard force. There must be two guards for every 8-hour shift. The guards must attend a briefing/training scheduled in the same manner as the escort teams. The unit must also provide an OIC/NCOIC of the guard force based on the circumstances behind the detention. The entire guard force must be exempt from all other duties at the unit. The guards must be equal to or higher than the detainee's/prisoner's pretrial pay grade and one must be of the same gender.

c. Provide the following items for prisoners confined 24 hours or more:

- Clean towel and washcloth
- Soap and shampoo
- Toothbrush and toothpaste
- Shaving gear
- A set of clean undergarments for every day the prisoner will stay
- One set of PFU/IPFU
- Sanitary napkins (if needed)

3. All soldiers assigned to Fort Bragg who are ordered into pretrial and post-trial confinement will be transferred to the custody of a military corrections facility determined by the Department of the Army Corrections. Usually, the unit will be responsible for transporting their prisoners to and from the correctional facility.

a. Detainees/prisoners will be considered maximum custody. A minimum of two (2) escorts per detainee/prisoner and one (1) driver are required. One escort must be a Noncommissioned Officer (E-5 or above) or a Commissioned Officer equal to or higher than the detainee/prisoner's pretrial pay grade and be of the same gender.

b. Escort members cannot be close personal friends or have feelings of sympathy or hatred towards the prisoner. Escorts cannot perform any additional duties relating to the court-martial, such as bailiff, testifying, or be a witness.

c. **The entire escort team must attend a briefing/training, at Fort Bragg PMO, within three (3) working days prior to the pre-trial hearing or court-martial.** These briefings are by appointment only due to the continuous OPTEMPO. The 45-minute briefings include in-processing requirements of prisoner at appropriate facilities and instruction on how to apply and remove restraints. Schedule appointments with the Deserter Apprehension Team during duty hours at 396-7504.

4. Detainees/Prisoners cannot be transported to a confinement facility unless they have the legal documents listed below. The senior escort must obtain the documents upon completion of the pre-trial hearing or the Court Martial from the unit legal representative. The last three items are obtained from the soldier and the soldier's chain of command. If any of these forms are improperly completed or missing, the detainee/prisoner may be denied confinement. Examples are available by calling 396-7504.

- DD Form 458 (Charge Sheet)
- Results of trial or pretrial hearing
- DD Form 2707 (Confinement Order)
- NAVPERS Form 1640/4 (Navy Confinement Order)
- DD Form 2704 (Victim/Witness Certification)
- Confinement physical, with a pregnancy test for females, cannot be more than 24 hours old upon arrival to the confinement facility.
- All required clothing (Basic Initial Issue) must be inventoried on a DA Form 3078 (Personal Clothing Request) and all shortages must be obtained prior to the pre-trial hearing or court martial.
- ID card and tags
- Medical and Dental records